

House File 312 - Enrolled

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HOUSE FILE 312

AN ACT

RELATING TO CAMPAIGN FINANCE COMMITTEE REPORTING, USE OF
COMMITTEE FUNDS OR PROPERTY, INDEPENDENT EXPENDITURES, AND
PLACEMENT OF CAMPAIGN SIGNS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 53.10, unnumbered paragraph 3, Code
2005, is amended to read as follows:

During the hours when absentee ballots are available in the
office of the commissioner, the posting of political signs is
prohibited within ~~thirty three hundred~~ feet of the absentee
voting site. No electioneering shall be allowed within the
sight or hearing of voters at the absentee voting site.

Sec. 2. Section 53.11, subsection 4, Code 2005, is amended
to read as follows:

4. During the hours when absentee ballots are available at
a satellite absentee voting station, the posting of political
signs is prohibited within ~~thirty three hundred~~ feet of the
satellite absentee voting station. Electioneering shall not
be allowed within the sight or hearing of voters at the
satellite absentee voting station.

Sec. 3. Section 68A.102, subsection 9, Code 2005, is
amended to read as follows:

9. "Consultant" means a person who provides or procures
services ~~for or on behalf of a candidate~~ including but not
limited to consulting, public relations, advertising,
fundraising, polling, managing or organizing services.

Sec. 4. Section 68A.102, subsection 12, Code 2005, is
amended to read as follows:

12. "County statutory political committee" means a
committee as ~~defined~~ described in section 43.100 that accepts
contributions in excess of seven hundred fifty dollars in the
aggregate, makes expenditures in excess of seven hundred fifty
dollars in the aggregate, or incurs indebtedness in excess of
seven hundred fifty dollars in the aggregate in any one
calendar year to expressly advocate the nomination, election,
or defeat of a candidate for public office.

Sec. 5. Section 68A.203, subsection 2, Code 2005, is
amended to read as follows:

2. An individual who receives contributions for a
committee without the prior authorization of the chairperson
of the committee or the candidate shall be responsible for
either rendering the contributions to the treasurer within
fifteen days of the date of receipt of the contributions, or
depositing the contributions in the account maintained by the
committee within seven days of the date of receipt of the
contributions. A person who receives contributions for a
committee shall, not later than fifteen days from the date of
receipt of the contributions or on demand of the treasurer,
render to the treasurer the contributions and an account of
the total of all contributions, including the name and address
of each person making a contribution in excess of ten dollars,
the amount of the contributions, and the date on which the
contributions were received. The treasurer shall deposit all
contributions within seven days of receipt by the treasurer in
an account maintained by the committee. All funds of a
committee shall be segregated from any other funds held by
officers, members, or associates of the committee or the
committee's candidate. However, if a candidate's committee
receives contributions only from the candidate, or if a
permanent organization temporarily engages in activity which
qualifies it as a political committee and all expenditures of
the organization are made from existing general operating
funds and funds are not solicited or received for this purpose
from sources other than operating funds, then that committee
is not required to maintain a separate account in a financial
institution. Committee funds or committee property shall not

be used for the personal benefit of an officer, member, or
associate of the committee. The funds of a committee are not
attachable for the personal debt of the committee's candidate
or an officer, member, or associate of the committee.

Sec. 6. Section 68A.304, subsection 1, paragraph d, Code

3 6 2005, is amended to read as follows:
 3 7 d. Consumable campaign property is not required to be
 3 8 reported as committee inventory, regardless of the initial
 3 9 value of the consumable campaign property. "Consumable
 3 10 campaign property", for purposes of this section, means
 3 11 stationery, ~~yard~~ campaign signs, and other campaign materials
 3 12 that have been permanently imprinted to be specific to a
 3 13 candidate or election.
 3 14 Sec. 7. Section 68A.304, Code 2005, is amended by adding
 3 15 the following new subsection:
 3 16 NEW SUBSECTION. 3. Consumable campaign property may be
 3 17 disposed of in any manner by the candidate's committee. A
 3 18 candidate's committee shall not transfer consumable campaign
 3 19 property to another candidate without receiving fair market
 3 20 value compensation unless the candidate in both campaigns is
 3 21 the same person.
 3 22 Sec. 8. Section 68A.402, subsection 6, paragraphs a and b,
 3 23 Code 2005, are amended to read as follows:
 3 24 a. A state statutory political committee shall file a
 3 25 report on the same dates as a candidate's committee is
 3 26 required to file reports under subsection 2, ~~paragraph~~
 3 27 ~~paragraphs "a" and subsection 5, paragraph "b" "c".~~
 3 28 b. A county statutory political committee shall file a
 3 29 report on the same dates as a candidate's committee is
 3 30 required to file reports under subsection 2, ~~paragraph~~
 3 31 ~~paragraphs "a" and subsection 5, paragraph "b" "c".~~
 3 32 Sec. 9. Section 68A.402, subsection 7, paragraphs a and b,
 3 33 Code 2005, are amended to read as follows:
 3 34 a. STATEWIDE OFFICE AND GENERAL ASSEMBLY ELECTIONS.
 3 35 ELECTION YEAR. A political committee expressly advocating
 4 1 the nomination, election, or defeat of candidates for
 4 2 statewide office or the general assembly shall file a report
 4 3 on the same dates as a candidate's committee is required to
 4 4 file reports under subsection 2, paragraph "a".
 4 5 NONELECTION YEAR. A political committee expressly
 4 6 advocating the nomination, election, or defeat of candidates
 4 7 for statewide office or the general assembly shall file a
 4 8 report as follows:
 4 9 Report due: Covering period:
 4 10 ~~January 19 (next July 19~~ January 1 through
 4 11 ~~calendar year)~~ June 30
 4 12 ~~July 19 January 19 (next~~ July 1 through
 4 13 ~~calendar year)~~ December 31
 4 14 b. COUNTY ELECTIONS. A political committee expressly
 4 15 advocating the nomination, election, or defeat of candidates
 4 16 for county office shall file reports on the same dates as a
 4 17 candidate's committee is required to file reports under
 4 18 subsection 2, ~~paragraph paragraphs "a" and subsection 5,~~
 4 19 ~~paragraph "b" "c".~~
 4 20 Sec. 10. Section 68A.402, subsection 8, Code 2005, is
 4 21 amended to read as follows:
 4 22 8. POLITICAL COMMITTEES == BALLOT ISSUES. A political
 4 23 committee expressly advocating the passage or defeat of a
 4 24 ballot issue shall file reports ~~on the same dates as~~
 4 25 ~~candidates for city office are required to file reports under~~
 4 26 ~~subsection 3, as follows:~~
 4 27 a. ELECTION YEAR. Five days before the election covering
 4 28 the period of the date of initial activity through ten days
 4 29 before election.
 4 30 b. NONELECTION YEAR. On January 19 of the next calendar
 4 31 year that covers the time period of nine days before the
 4 32 election through December 31.
 4 33 Sec. 11. Section 68A.402, subsection 10, Code 2005, is
 4 34 amended to read as follows:
 4 35 10. ELECTION YEAR DEFINED. As used in this section,
 5 1 "election year" means a year in which the name of the
 5 2 candidate or ballot issue that is expressly advocated for or
 5 3 against appears on any ballot to be voted on by the electors
 5 4 of the state of Iowa. For state and county statutory
 5 5 political committees, and all other political committees
 5 6 except for political committees that advocate for or against
 5 7 ballot issues, "election year" means a year in which primary
 5 8 and general elections are held.
 5 9 Sec. 12. Section 68A.402B, subsection 2, paragraph b, Code
 5 10 2005, is amended by striking the paragraph.
 5 11 Sec. 13. Section 68A.404, subsection 1, Code 2005, is
 5 12 amended to read as follows:
 5 13 1. As used in this section, "independent expenditure"
 5 14 means an expenditure one or more expenditures in excess of
 5 15 seven hundred fifty dollars in the aggregate for a
 5 16 communication that expressly advocates the nomination.

5 17 election, or defeat of a clearly identified candidate or the
5 18 passage or defeat of a ballot issue that is made without the
5 19 prior approval or coordination with a candidate, candidate's
5 20 committee, or a ballot issue committee.
5 21 Sec. 14. Section 68A.404, subsection 2, Code 2005, is
5 22 amended by striking the subsection and inserting in lieu
5 23 thereof the following:
5 24 2. A person, other than a committee registered under this
5 25 chapter, that makes one or more independent expenditures shall
5 26 file an independent expenditure statement.
5 27 a. The filing of an independent expenditure statement
5 28 under this section does not alone require the person filing
5 29 the independent expenditure statement to register and file
5 30 reports under sections 68A.201 and 68A.402.
5 31 b. This section does not apply to a candidate, candidate's
5 32 committee, state statutory political committee, county
5 33 statutory political committee, or a political committee.
5 34 Sec. 15. Section 68A.404, subsection 3, Code 2005, is
5 35 amended by striking the subsection.
6 1 Sec. 16. Section 68A.405, subsection 2, paragraph b, Code
6 2 2005, is amended to read as follows:
6 3 b. Small items upon which the inclusion of the statement
6 4 is impracticable including, but not limited to, yard campaign
6 5 signs, bumper stickers, pins, buttons, pens, political
6 6 business cards, and matchbooks.
6 7 Sec. 17. Section 68A.406, subsection 1, paragraph f, Code
6 8 2005, is amended to read as follows:
6 9 f. Property leased by a candidate, committee, or an
6 10 organization established to advocate the nomination, election,
6 11 or defeat of a candidate or the passage or defeat of a ballot
6 12 issue that has not yet registered pursuant to section 68A.201,
6 13 when the property is used as campaign headquarters or a
6 14 campaign office and the placement of the sign is limited to
6 15 the space that is actually leased.
6 16 Sec. 18. Section 68A.406, subsection 2, Code 2005, is
6 17 amended by adding the following new paragraphs:
6 18 NEW PARAGRAPH. e. Within three hundred feet of an
6 19 absentee voting site during the hours when absentee ballots
6 20 are available in the office of the county commissioner of
6 21 elections as provided in section 53.10.
6 22 NEW PARAGRAPH. f. Within three hundred feet of a
6 23 satellite absentee voting station during the hours when
6 24 absentee ballots are available at the satellite absentee
6 25 voting station as provided in section 53.11.
6 26 Sec. 19. Section 68A.406, subsection 3, Code 2005, is
6 27 amended to read as follows:
6 28 3. Yard Campaign signs with dimensions of thirty-two
6 29 square feet or less are exempt from the attribution statement
6 30 requirement in section 68A.405. Campaign signs in excess of
6 31 thirty-two square feet, or signs that are affixed to buildings
6 32 or vehicles regardless of size except for bumper stickers, are
6 33 required to include the attribution statement required by
6 34 section 68A.405. The placement or erection of yard campaign
6 35 signs shall be exempt from the requirements of chapter 480
7 1 relating to underground facilities organization information.
7 2 Sec. 20. Section 68A.503, subsection 4, paragraph c, Code
7 3 2005, is amended to read as follows:
7 4 c. The placement of yard campaign signs under section
7 5 68A.406.
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CHRISTOPHER C. RANTS
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 312, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2005

7 28 THOMAS J. VILSACK
7 29 Governor